

BRIDGESTONE/FIRESTONE NORTH AMERICAN TIRE, LLC

535 Marriott Drive
Nashville, TN 37214

September 28, 2004

Mr. Stephen R. Kratzke
Associate Administrator for Rule Making
National Highway Traffic Safety Administration
400 Seventh St., S.W.
Washington, DC 20590

Re: Petition for Inconsequential Treatment of a Noncompliance -
Bridgestone HOOP 2.75-10 & 80/90-10 tire sizes

Dear Mr. Kratzke: *NHTSA - 2004 - A 347 - 1*

Bridgestone/Firestone North American Tire, LLC ("BFNT") hereby petitions for exemption from notification and remedy requirements of the National Highway Traffic and Motor Vehicle Safety Act, as amended (the "Safety Act"), in accordance with the provision of 49 C.F.R., Part 556 on the basis of the facts set forth below. In addition, a Part 573 Defect and Noncompliance Report is attached.

This petition relates to a small quantity of 2.75-10 & 80/90-10 sizes Bridgestone HOOP tires exported to the United States. These tires were produced in the Inoue Rubber Company's Bangkok, Thailand plant, a joint venture. The 2.75-10 tire DOT serial codes are WOUNPHK2203 through WOUNPHK2604. The 80/90-10 tire DOT serial codes are WOUNPFD2803 through WOUNPFD3004. These tires contained an inconsequential mismarking as explained below. As of May 27, 2003, FMVSS 571.119 S6.5 required metric markings on the tire sidewall for maximum load ratings and corresponding inflation pressure. The molds' markings have since been corrected. 1,675 of these tires were exported to the U.S. 592 of these tires are now under BFNT's control and, 1,083 remain in the replacement market in the U.S.

The noncompliance leading to this notification is a sidewall mismarking.

Actual stamping is:	MAX. LOAD 355 LBS AT 36 PSI COLD
Correct stamping should be:	MAX. LOAD 160kg (353 LBS) AT 50 kPa (36 PSI) COLD

Bridgestone/Firestone believes that the noncompliance described herein is inconsequential as it relates to Motor Vehicle Safety. The subject tires were not marked with metric markings as required as of May 27, 2003. BFNT believes that this noncompliance is unlikely to have an adverse impact on motor vehicle safety since the actual performance of the subject tires will not be affected by the mismarking. The noncompliant tires meet or exceed all performance requirements of FMVSS No. 119, and, will have no impact on the operational performance or safety of vehicles on which these tires are mounted.

In view of the information and facts presented, Bridgestone/Firestone respectfully submits that mismarking of the subject tires should be deemed inconsequential as it relates to Motor Vehicle Safety. Accordingly, Bridgestone Firestone requests that it be granted an exemption from the notification and remedy requirements of the Safety Act.

If you have any question or require additional information, please contact me. Thank you for your consideration of this petition.

Sincerely,



David Archual
Manager, External Relations
Corporate Quality Assurance

cc: Mr. George Person
Office of Defects Investigation
Chief, Recall Analysis Division
National Highway Traffic Safety Administration
400 Seventh St. S.W.
Washington, DC 20590

Form Approved:
O.M.B. No.
2127-0004

Safety Defect and Noncompliance Report Guide for Equipment
PART 573 Defect and Noncompliance Report¹

On , August 26, 2004, Bridgestone Firestone North American Tire, LLC (“BFNT”) decided that noncompliance with the Federal Motor Vehicle Safety Standard 571.119 existed in items of motor vehicle equipment listed below, and is furnishing notification to the National Highway Traffic Safety Administration in accordance with 49 CFR Part 573 Defect and Noncompliance Reports.

Date this report was prepared: September 28, 2004

Furnish the manufacturer’s identification code for this recall (if applicable): N/A

1. Identify the full corporate name of the fabricating manufacturer/brand name/trademark owner of the recalled item of equipment. If the recalled item of equipment is imported, provide the name and mailing address of the designated agent as prescribed by 49 U.S.C. §30164.

Bridgestone Firestone North American Tire, LLC
535 Marriott Drive
Nashville, TN 37214

Identify the corporate official, by name and title, whom the agency should contact with respect to this recall.

David Archual, Manager: External Relations, Quality Assurance

Telephone Number: 615-937-1849 **Fax No.:** 615-493-0493

Name and Title of Person who prepared this report: David Archual

¹Each manufacturer must furnish a report, to the Associate Administrator for Safety Assurance, for each defect or noncompliance condition which relates to motor vehicle safety.

This guide was developed from 49 CFR Part 573, "Defect and Noncompliance Reports" and also outlines information currently requested. Any questions, please consult the complete Part 573 or contact Mr. Jon White at (202) 366-5226 or by FAX at (202) 366-7882.

Signed: 

I. Identify the Recalled Items of Equipment

2. Identify the Items of Equipment Involved in this Recall, for each make and model or applicable item of equipment product line (provide illustrations or photographs as necessary to describe the item of equipment), provide:

Generic name of the item:

Make: **Model:** HOOP
Bridgestone
Part Number: **Size :** 2.75-10
Function: Scooter Tires

Other information which characterizes/distinguishes the items of equipment:

DOT Serial numbers: WOUNPHK2203 through WOUNPHK2604
Manufacturer: Inoue Rubber Company (Joint Venture company)
Plant: Bangkok, Thailand Imported: 1,123 Sold: 725
Under BFNT control: 398

Make: **Model:** HOOP
Bridgestone
Part Number: **Size :** 80/90-10
Function: Scooter Tires

Other information which characterizes/distinguishes the items of equipment:

DOT Serial numbers: WOUNPFD2803 through WOUNPFD3004
Manufacturer: Inoue Rubber Company (Joint Venture company)
Plant: Bangkok, Thailand Imported: 552 Sold: 358
Under BFNT control: 194

II. Identifying the Recall Population

3. Furnish the total number of items of equipment recalled potentially containing the defect or noncompliance.

<u>Model</u>	<u>Size</u>	<u>Number of Items Potentially Involved</u>
HOOP	2.75-10	725
HOOP	80/90-10	358
Total Number Potentially Affected:		1,083

4. Furnish the approximate percentage of the total number of items of equipment estimated to actually contain the defect or noncompliance: 100%

Identify and describe how the recall population was determined—in particular how the recalled models were selected and the basis for the beginning and final dates of manufacture of the recalled items of equipment:

The determination was made after the tire mold was inspected and compared to the actual mold specification. Beginning and final dates were determined by comparing the mold with the mold specification. The effective date of May 27, 2003 required metric markings on sidewalls.

III. Describe the Defect or Noncompliance

5. Describe the defect or noncompliance. The description should address the nature and physical location of the defect or noncompliance. Illustrations should be provided as appropriate.

The noncompliance is that FMVSS 571.119 S6.5 requires that tires be marked for maximum load rating and corresponding inflation pressure in metric measurements, in addition to pounds and per square inch (pressure). In this case, the metric markings were omitted.

Describe the cause(s) of the defect or noncompliance condition.

The cause of the noncompliance was an incorrect stamping on the tire mold.

Describe the consequence(s) of the defect or noncompliance condition.

The consequence of the noncompliance is not safety related. The consequence is a mis-labeled tire.

Identify any warning which can (a) precede or (b) occur.

None

If the defect or noncompliance is in a component or assembly purchased from a supplier, identify the supplier by corporate name and address.

N/A

IV. Provide the Chronology in Determining the Defect/Noncompliance

If the recall is for a defect, complete item 6, otherwise item 7.

6. With respect to a defect, furnish a chronological summary (including dates) of all the principle events that were the basis for the determination of the defect. The summary should include, but not be limited to, the number of reports, accidents, injuries, fatalities, and warranty claims. N/A

7. With respect to a noncompliance, identify and provide the test results or other data (in chronological order and including dates) on which the noncompliance was determined.

On August 25, 2004, it was determined that the mold stamping incorrectly omitted the metric stampings.

V. Identify the Remedy

8. Furnish a description of the manufacturer's remedy for the defect or noncompliance. Clearly describe the differences between the recall condition and the remedy.

Cause of the noncompliance has been identified. We have included as an attachment a petition for inconsequential noncompliance due to the omission of the metric markings, which, in and of itself, is not a safety concern.

Clearly describe the distinguishing characteristics of the remedy component/assembly versus the recalled component/assembly.

Not applicable based on the petition for exemption for inconsequential noncompliance.

Identify and describe how and when the recall condition was corrected in production. If the production remedy was identical to the recall remedy in the field, so state. If the product was discontinued, so state.

The incident was isolated. Corrective action was made to ensure that future mold drawings for these tires will be properly communicated with the joint venture partner.

VI. Identify the Recall Schedule

Furnish a schedule or agenda (with specific dates) for notification to other manufacturers, dealers/retailers, and purchasers. Please, identify any foreseeable problems with implementing the recall.

N/A

VII. Furnish Recall Communications

9. Furnish a final copy of all notices, bulletins, and other communications that relate directly to the defect or noncompliance and which are sent to more than one manufacturer, distributor, or purchaser. This includes all communications (including both original and follow-up) concerning this recall from the time your company determines the defect or noncompliance condition on, not just the initial notification. *A DRAFT copy of the notification documents should be submitted to this office by Fax (202-366-7882) for review prior to mailing.* **Note: These documents are to be submitted separately from those provided in accordance with Part 573.8 requirements.**

None

The Privacy Act of 1974 - Public Law 93-579, As Amended: This information is requested pursuant to the authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response maybe used to assist the NHTSA in determining whether a manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administration enforcement or litigation against a manufacturer, your response, or statistical summary thereof, may be used in support of the agency's action.